

ARGUMENTS/REMARKS

Applicant would like to thank the examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe and claim the subject matter which applicant regards as the invention.

Claims 1-41 remain in this application. Claim 24 have been canceled. Claim 42 has been added. Claims 3, 4, and 5 have been amended to put them into independent format, including all of the limitations of their parent claims.

The examiner has not indicated if the drawings are acceptable.

The Examiner has indicated that the IDS fails to comply with Rules 97 and 98, and MPEP § 609, because they lack an English translation. Applicant's representative disputes that the IDS fails to comply with the rules. Rule 98 states that:

- (3)(i) A concise explanation of the relevance, as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the information, of each patent, publication, or other information listed that is not in the English language. The concise explanation may be either separate from applicant's specification or incorporated therein.
- (ii) A copy of the translation if a written English-language translation of a non-English-language document, or portion thereof, is within the possession, custody, or control of, or is readily available to any individual designated in § 1.56(c).

The submitted IDS complies with this rule. .

Note that an English copy of the reference is only required if it is "within the possession, custody, or control of, or is readily available...." Because this is not the case, no English translation need be provided by applicant. Furthermore, the references are cited in the specification, which qualifies as a "concise explanation." This is consistent with MPEP §609. Accordingly, the Examiner must consider all references listed on the IDS, and no resubmission of the IDS is necessary.

Claims 3-10 and 13-18 were objected to, but indicated as being allowable if put into independent format. Claims 3-5 have been made independent by including all limitations of the parent claims, and claims 6-10 and 13-18 depend on one or more of claims 3-5. Accordingly, these claims are now in a condition for allowance.

Claim 24 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claim 24 has been canceled, making this rejection moot.

Claims 1-2, 11-12, and 19-41 were rejected under 35 U.S.C. §102 as being anticipated by Peter *et al.* (U.S. WO 01 76321). For the following reasons, the rejection is respectfully traversed.

Claim 1, as amended recites:

providing at least two processing stages wherein

an extraction phase is provided in at least one of the at least two processing stages, in which said extraction phase characteristic features are extracted from the input signal, and wherein

an identification phase is provided in each processing stage, in which said identification phase the extracted characteristic features are classified

Thus, two processing phases are provided where the identification phase is provided in both processing states, and where the extracted characteristic features are classified. Thus, both phases depend on the extracted features extracted in at least one of the processing phases.

The Examiner cites Peter as teaching a “method of classifying a (sic) acoustic environment using feature vectors extracted from an input signal, and where the classifying means are adapted to process the feature vectors in a first (sic) to determine a first classification, where the first classification is processed with a second set of HMM to generate a second classification output.”

However, the Examiner has failed to show where Peters provides the teachings cited above. Instead, Peter appears to teach extracting feature vectors from a training phase to form a codebook (see page 9, lines 19-24). Peter later discusses the use of two different predetermined signal processing algorithms, where processing means controls a transition between the two algorithms depending

on a classification vector (see page 11, lines 24-28). However, there is no teaching that either of the algorithms both extracts characteristic features, and also classifies the extracted features. Thus, claim 1 is patentable over the reference.

New claim 42 is similar to claim 1, and thus patentable for the same reasons. Also, claim 42 further recites that:

the input signal is fed to the feature extraction unit, an output of which is at least fed to one of the at least two classification units, and wherein at least one of the at least two classification units is operatively connected to at least another of the at least two classification units in order to adjust processing according to class information in another processing stage

Peter does not teach using an output of a feature extraction unit as in input to a classification unit. Furthermore, Peter does not teach one classification unit operatively connected to another classification unit to adjust processing according to class information. Thus, claim 24 is patentable over the reference for this reason as well.

The remaining claims depend on one or both of claims 1 and 24, and thus are patentable over the reference for at least the same reasons.

In consideration of the foregoing analysis, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

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If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 34369.

Respectfully submitted,

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